

Appl. No. 09/960,482

Response dated: April 12, 2003

REMARKS/ARGUMENTS

A Petition for an Extension of Time is enclosed herewith.

Claims 1-31 were originally filed. Claims 22-31 were previously withdrawn in response to a restriction requirement. Independent claims 1, 12, and 22 have been amended to include the subject matter of claims 6, 17, and 27, respectively. Claims 6, 17, and 27 have been cancelled.

Independent claims 1 and 12 were rejected under 35 U.S.C. § 103 as being unpatentable over McGrath (U.S. Patent Application Publication No. US2001/0031124 A1) in view of Kobayashi et al. (JP 61-223809). Claims 1 and 12 were amended to include the subject matter of claims 6 and 17, respectively. Claims 6 and 17 were rejected under 35 U.S.C. § 103 as being unpatentable over McGrath et al. in view of Vidacovich et al. (U.S. Patent No. 5,402,515). With regard to the subject matter set forth in claims 6 and 17, the Action states on page 5, item 6:

McGrath et al. in view of Kobayashi et al. discloses the invention as set forth above in Claims 1 and 12, except for the fiber handling track further comprising a plurality of radius control tabs, each pair of radius control tabs being spaced away from and located between adjacent pairs of radius control bosses, the radius control tabs further restricting the bending of the optical fibers diverted by the radius control bosses. However, Vidacovich et al. teaches a fiber distribution frame system (See for example Figures 1, 7), wherein the fiber handling track (See for example right hand side of Figure 1) includes a plurality of radius control tabs (See for example 104 in Figure 1)

Applicant respectfully disagrees. Reference numeral 104 does not refer to "radius control tabs" 14. Rather, reference numeral 104 refers to "retention fingers", as described in Vidacovich et al. at column 6, lines 33-36. The "retention fingers 104" in Vidacovich et al. have some similarity to the "fiber retention tabs 16" illustrated in Figure 1A of the present invention, but they are clearly different than the "radius control tabs 14" claimed in the present application.

Appl. No. 09/960,482

Response dated: April 12, 2003

For example, the "radius control tabs" are recited in claim 1 as:

a plurality of radius control tabs, each pair of radius control tabs being spaced away from and located between adjacent pairs of radius control bosses, the radius control tabs further restricting the bending of the optical fibers diverted by the radius control bosses

However, the "retention fingers 104" in Vidacovich et al. is not for "restricting the bending of the optical fiber diverted by the radius control bosses". In contrast, the "retention fingers 104" in Vidacovich et al. are the opposite of the "radius control tabs" of the claimed invention. In other words, the "retention fingers 104" in Vidacovich et al. do not restrict the bending of the optical fibers, but rather they restrict the extent to which the optical fiber may be unbent or the extent to which the optical fiber may be straightened. As described in column 6, lines 35-36, the retention fingers 104 in Vidacovich et al. are "for keeping the fibers within the organizer's vertical raceway. By maintaining fiber with the raceway, the "retention fingers 104" in Vidacovich et al. restrict the unbending of the optical fiber by constraining it within the raceway. This is more analogous to the "fiber retention tabs 16" of the present invention, which are described as helping to "keep the optical fibers in the fiber handling track 10". See, for example, page 4, lines 3-7.

For the reasons stated above, Applicant submits that claim 1 is in condition for allowance. Claim 12 has been amended in a manner analogous to that of claim 1, and Applicant submits that claim 12 is also in condition for allowance. Claims 2-5, 7-11, 13-16, and 18-21 depend, directly or indirectly, from claims 1 and 12, and Applicant submits that those claims are also in condition for allowance for at least the reasons set forth above.

Claims 22-31 were previously withdrawn in response to a restriction requirement mailed January 29, 2003. In that restriction requirement, the Examiner stated "Claims 12-21 link(s) inventions I and II. . . Upon allowance of the linking claim(s), the restriction requirement as to the linked inventions shall be withdrawn and any claims(s) depending from or otherwise including all the limitations of the allowable linking claim(s) will be entitled to examination in the instant application."

Applicant submits that the linking claims are in condition for allowance. Therefore, Applicant requests examination of the withdrawn claims 22-31. Independent claim 22 has been amended in a manner analogous to the amendments made to claims 1 and 12. Claim 27 has been

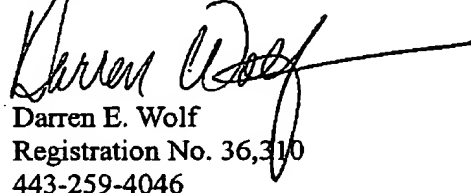
Appl. No. 09/960,482

Response dated: April 12, 2003

cancelled. For the reasons set forth above with respect to claims 1-5, 7-16, and 18-21, Applicant submits that claims 22-26 and 28-31 are in condition for allowance.

If the Examiner has any questions pertaining to this Amendment or to the subject application in general, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,


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